

HOUSE No. 2779

By Mr. Bosley of North Adams, petition of Daniel E. Bosley and others relative to smoking cessation treatment under Medicaid. Health Care Financing.

The Commonwealth of Massachusetts

PETITION OF:

Daniel E. Bosley	Anthony J. Verga
Peter Koutoujian	Rachel Kaprielian
Shirley Gomes	Carl M. Sciortino, Jr.
Michael J. Rodrigues	

In the Year Two Thousand and Five.

AN ACT RELATIVE TO SMOKING CESSATION AND MEDICAID.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 118E of the General Laws, as appearing
2 in the 1998 Official Edition, is hereby amended by inserting after
3 section 10A the following new section:
4 Section 10B. The division shall provide coverage under Med-
5 icaid for smoking and tobacco use cessation treatment and infor-
6 mation — including nicotine replacement therapy, other
7 evidence-based pharmacologic aids to quitting smoking, and
8 accompanying counseling by a physician, certified tobacco use
9 cessation counselor, or other qualified clinician — and the provi-
10 sion of smoking and tobacco use prevention educational informa-
11 tion and materials to any person eligible for medical assistance
12 under Medicaid and who lack private health insurance coverage
13 for such services. Nothing in this law shall prevent Medicaid
14 from requiring a co-payment for these services or using another
15 cost-sharing mechanism.

1 SECTION 2. Chapter 118E of the General Laws, as appearing
2 in the 1998 Official Edition, is hereby amended by inserting in
3 section 8 the following new clauses:

4 i. “Nicotine Replacement Therapy,” evidence-based therapies
5 that involve having addicted smokers use nicotine substitutes or
6 replacements as an aid to weaning them from their addiction to
7 nicotine, including, but not limited to, the four nicotine replace-
8 ment therapies currently available to smokers: the nicotine patch,
9 nicotine gum, nicotine nasal spray, and the nicotine inhaler.

10 j. “certified tobacco use cessation counselor,” a tobacco use
11 cessation counselor certified by the Commonwealth of Massachu-
12 setts.